



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: October 28, 2004

COUNCIL DISTRICT: 3

SUBJECT: PDC04-018. PLANNED DEVELOPMENT REZONING LOCATED AT THE SOUTHWEST CORNER OF WEST TAYLOR STREET AND COLEMAN AVENUE.

RECOMMENDATION

The Planning Commission voted 6-0-1 (Commissioner Zito, absent) to recommend that the City Council approve the proposed rezoning.

BACKGROUND

On October 27, 2004, the Planning Commission held a public hearing to consider both a Final Environmental Impact Report (EIR) (SCH # 2004032132) and a Planned Development Rezoning from IP Industrial Park and HI Heavy Industrial to A(PD) Planned Development to allow the development of Community retail center of up to 385,000 square feet containing a mixture of retailers, sit-down restaurants, drive-through fast food restaurants, offices, gas station, and other typical retail and quasi-retail uses, such as service business and office uses. The Director of Planning, Building and Code Enforcement recommended certification of the Final EIR and approval of the proposed rezoning. The Planning Commission considered the items together.

ANALYSIS

Staff reported the following two corrections to the Draft EIR and the First Amendment neither of which changes the impact conclusions:

- A typographical error in the table on page 132 of the Draft EIR. The I-280 freeway segment from Bird to Meridian should read a LOS of E in the p.m. and not F.
- A discrepancy between the text on page 260 of the Draft EIR and the table on page 18 of the First Amendment. The text states that the LOS for both Impact Cumulative Traffic 3 Coleman to Hedding and Impact Cumulative Traffic 4 Coleman to Taylor is F in the p.m. The table states that they are both E in the p.m. The table is correct and the text should read that they are both E in the p.m.

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John Loper of Cousins Properties, Inc., the applicant, presented the project. He described the site plan and said that the project would (1) construct a portion of the new alignment for Autumn Street, (2) relocate an existing at-grade crossing from existing North Autumn Street to the proposed realigned Autumn Street, across the track and right-of-way of Union Pacific Railroad, (3) widen Coleman Avenue to allow for three eastbound lanes of traffic, a bicycle lane, and 10-foot sidewalk, and (4) dedicate approximately 3 acres of the subject site for incorporation into the Guadalupe River Park. He also stated that the project would provide a type of general retail shopping that could not locate in the Downtown and that it would also provide a gateway to Downtown.

Commissioner James asked if the building heights on the property were in conformance with Federal Aviation Administration (FAA) regulations. The applicant responded that they were below the FAA imaginary height restrictions and that most of the buildings on the site have a maximum of 60 feet. The portion of the site nearest Taylor Street would be restricted to 50 feet in height.

Commissioner Levy commented that the proposed development seemed to be low intensity for a location close to Downtown, and that more intense development would be appropriate. He did recognize that the site had use and height limitations due to its close proximity of the airport.

Public testimony was then taken. There were two community members who spoke on the proposed rezoning.

Gerald Hamilton, representing himself and other property owners on Cinnabar and Montgomery Streets, said that he was concerned about the fence that would separate the project from the railroad tracks and what their properties would look at. The applicant responded by saying that the Joint Powers Board (JPB), as a part of their maintenance facility, would construct a portion of the fence and that this development would construct the remainder. He also stated that there will be landscaping along the fence including low trees that would not interfere with the overhead power lines.

Jim Alves, of Hardcastle Auto Body, stated that he supported the project, but was concerned about eliminating the left turn on to Hobson Street from Coleman Avenue by closing the median. He said that he would like this closure to be reconsidered. Commissioner James asked if using Walnut Street was a feasible alternative. Mr. Alves responded that it was, but that it can be difficult because the street is very narrow and there is a lot of truck and car traffic to maneuver around, especially during the morning hours.

Planning staff responded to the comments given by the speakers by stating that staff would continue to work with the community and the developer to resolve the closure of the median at Hobson Street before a Planned Development Permit is issued. Staff also added that the ALUC had reviewed the project and found it consistent with their noise and height policies. The Planning Commission then closed the public hearing and voted 6-0-1 (Zito absent) to certify the Final EIR.

Following certification of the EIR, the Planning Commission made a motion on the planned development rezoning. Commissioner Levy stated allowing retail so close to downtown would

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compete with Downtown retail. Commission Campos stated that the site has been blighted for years and that he does not see the project as a detriment to the retail downtown because it will not be the same type of uses. Commissioner Dhillon asked how long the site had been designated for Combined/Industrial Commercial. Staff responded that it had been designated as such for many years, but a text amendment was approved about a year ago that allowed big-box retail in the Combined/Industrial Commercial designation. The Commission then voted 6-0-1 (Zito absent) to recommend that the City Council approve the proposed rezoning.

PUBLIC OUTREACH

A notice of the public hearings was mailed to all property owners and tenants within 1,000 feet of the subject site. The Planning Commission Agenda is posted on the City of San José website, which includes a copy of the staff report. Staff has been available to discuss the project with interested members of the public. The project was presented at a Community Meeting on September 27, 2004 in order to discuss the proposed project and solicit feedback from the community.

COORDINATION

Preparation of this memorandum was coordinated with the City Attorney.

CEQA

EIR Resolution to be adopted.



STEPHEN M. HAASE
Secretary, Planning Commission